

110TH CONGRESS
2D SESSION

H. R. 5461

To require the President to call a White House Conference on Children and Youth in 2010.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2008

Mr. FATTAH (for himself, Mr. PORTER, Ms. GINNY BROWN-WAITE of Florida, Mr. CARDOZA, Mr. CUMMINGS, Mr. PAYNE, Mr. HINOJOSA, Mr. COOPER, Mr. STARK, Mr. FILNER, Mr. PLATTS, Ms. LORETTA SANCHEZ of California, Mr. RAMSTAD, Mr. ELLISON, Mr. DAVIS of Illinois, Mr. ENGLISH of Pennsylvania, Ms. WASSERMAN SCHULTZ, Mr. LEWIS of Georgia, Ms. WOOLSEY, Ms. BORDALLO, Mrs. MALONEY of New York, Mr. McDERMOTT, Mr. LAMPSON, Mr. TERRY, Mr. SESTAK, Mr. KENNEDY, Mr. GRIJALVA, Mr. OBERSTAR, Mr. YOUNG of Alaska, Mr. JEFFERSON, Ms. NORTON, Ms. KILPATRICK, and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To require the President to call a White House Conference on Children and Youth in 2010.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “White House Con-
5 ference on Children and Youth in 2010 Act”.

1 **SEC. 2. FINDINGS AND POLICY.**

2 (a) FINDINGS.—The Congress finds the following:

3 (1) In 2005 there were over 3,000,000 reports
4 of child abuse and neglect, and only 60 percent of
5 the children from the substantiated reports received
6 follow-up services and 20 percent were placed in fos-
7 ter care as a result of an investigation.

8 (2) Each year there are nearly 900,000 sub-
9 substantiated reports of child abuse and neglect.

10 (3) Each year approximately 60 percent of such
11 substantiated reports are reports of neglect, 30 per-
12 cent are physical and sexual abuse reports, and more
13 than 20 percent are reports that involve other forms
14 of abuse.

15 (4) Almost 500,000 children and youth were in
16 foster care at the end of the Federal fiscal year
17 2004 and nearly 800,000 spent at least some time
18 in foster care throughout the year.

19 (5) While 51,000 children are adopted from the
20 foster care system each year, more than 117,000
21 children are waiting to be adopted.

22 (6) Each year approximately 22,000 youth
23 leave the foster care system not because they have
24 found permanent placements, but because they have
25 reached the age at which foster care ends.

1 (7) The child welfare system includes State and
2 local governments, tribal governments, child welfare
3 agencies, child welfare caseworkers, private agencies,
4 social workers, the courts, volunteer court appointed
5 special advocates, mental health and health care pro-
6 fessionals, educators, and advocates.

7 (8) There is an over-representation of certain
8 populations, including Native Americans and Afri-
9 can-Americans, in the child welfare system.

10 (9) The number of children being raised by
11 grandparents and other relatives is increasing and
12 exceeds more than 6,000,000 children cared for in
13 this way, and the Government recognizes that kin-
14 ship care is a permanency option through the enact-
15 ment of the Adoption and Safe Families Act of
16 1997.

17 (10) The State courts make key decisions in the
18 lives of children involved in the child welfare system,
19 including decisions of whether children have been
20 victims of child abuse, whether parental rights
21 should be terminated, and whether children should
22 be reunified with their families, adopted, or placed
23 in other settings.

24 (11) The child welfare system will never fully
25 address its primary mission unless the courts are an

1 integral and functioning component of a statewide
2 system of care and protection.

3 (b) POLICY.—It is the policy of the Congress that—

4 (1) the Government should work jointly with
5 the States and their residents to develop rec-
6 ommendations and plans for action to meet the chal-
7 lenges and needs of children and families involved
8 with the child welfare system, consistent with this
9 Act;

10 (2) in developing such recommendations and
11 plans, emphasis should be directed toward the role
12 of the Government, State and local child welfare sys-
13 tems, State family courts systems, child welfare ad-
14 vocates, guardians, and other key participants in
15 such child welfare systems, with a goal of enhancing
16 and protecting the lives and well-being of children
17 and families who are involved with such child welfare
18 systems; and

19 (3) Federal, State, and local programs and poli-
20 cies should be developed to reduce the number of
21 children who are abused and neglected, to reduce the
22 number of children in foster care, and to dramati-
23 cally increase the number of children in permanent
24 placements through family reunification, kinship
25 placement, and adoption.

1 **SEC. 3. AUTHORIZATION OF THE CONFERENCE.**

2 (a) **AUTHORITY TO CALL THE CONFERENCE.**—The
3 President shall call a White House Conference on Children
4 and Youth in 2010 (in this Act referred to as “the Con-
5 ference”), to be convened not later than 18 months after
6 the selection of the Policy Committee established in sec-
7 tion 4, to encourage improvements in each State and local
8 child welfare system, and to develop recommendations for
9 actions to implement the policy set forth in section 2(b).

10 (b) **PLANNING AND DIRECTION.**—The Secretary shall
11 plan, conduct, and convene the Conference in cooperation
12 with the heads of other appropriate Federal entities, in-
13 cluding the heads of the Department of Justice, the De-
14 partment of Education, and the Department of Housing
15 and Urban Development.

16 (c) **PURPOSES OF THE CONFERENCE.**—The purposes
17 of the Conference are—

18 (1) to identify the problems and challenges of
19 child abuse and neglect, and the needs of the chil-
20 dren and families affected by decisions made
21 through the child welfare system;

22 (2) to strengthen the use of research-based best
23 practices that can prevent child abuse and neglect
24 with a special focus on younger children;

25 (3) to strengthen the use of research-based best
26 practices that can increase the placement perma-

1 nency for children removed from their homes, includ-
2 ing practices involving family reunification, kinship
3 placement, and adoption;

4 (4) to promote the role of State family courts
5 in each State child welfare system;

6 (5) to develop recommendations that will reduce
7 the number of children who are in out-of-home care
8 and who fail to leave foster care before the age of
9 majority, and to reduce the overrepresentation of
10 certain populations in the child welfare system;

11 (6) to examine the role of the Government in
12 building an equal partnership in assisting and en-
13 couraging State, local, and tribal coordination;

14 (7) to develop such specific and comprehensive
15 recommendations for State-level executive and legis-
16 lative action as may be appropriate for maintaining
17 and improving the well-being of children in such sys-
18 tem; and

19 (8) to review the status of recommendations re-
20 garding child welfare made by previous White House
21 conferences.

22 **SEC. 4. POLICY COMMITTEE.**

23 (a) ESTABLISHMENT.—There is hereby established a
24 Policy Committee which shall be comprised of 17 members
25 to be selected as follows:

1 (1) PRESIDENTIAL APPOINTEES.—Nine mem-
2 bers shall be selected by the President and shall con-
3 sist of—

4 (A) 3 members who are officers or employ-
5 ees of the United States; and

6 (B) 6 members, who may be officers or
7 employees of the United States, with experience
8 in the field of child welfare, including providers
9 and children directly affected by the child wel-
10 fare system.

11 (2) HOUSE OF REPRESENTATIVE AP-
12 POINTEES.—

13 (A) Two members shall be selected by the
14 Speaker of the House of Representatives after
15 consultation with the chairperson of the Com-
16 mittee on Education and Labor, and the chair-
17 person of the Committee on Ways and Means,
18 of the House of Representatives.

19 (B) Two members shall be selected by the
20 minority leader of the House of Representa-
21 tives, after consultation with ranking minority
22 members of such committees.

23 (3) SENATE APPOINTEES.—

24 (A) Two members shall be selected by the
25 majority leader of the Senate, after consultation

1 with members of the Committee on Health,
2 Education, Labor, and Pensions, and the Com-
3 mittee on Finance, of the Senate.

4 (B) Two members shall be selected by the
5 minority leader of the Senate, after consultation
6 with members of such committees.

7 (b) VOTING; CHAIRPERSON.—

8 (1) VOTING.—The Policy Committee shall act
9 by the vote of a majority of the members present.

10 (2) CHAIRPERSON.—The President shall select
11 the chairperson from among the members of the
12 Policy Committee. The chairperson may vote only to
13 break a tie vote of the other members of the Policy
14 Committee.

15 (c) DUTIES OF POLICY COMMITTEE.—The Policy
16 Committee shall first meet at the call of the Secretary,
17 not later than 30 days after the last member is selected.
18 Subsequent meetings of the Policy Committee shall be
19 held at the call of the chairperson of the Policy Committee.
20 Through meetings, hearings, and working sessions, the
21 Policy Committee shall—

22 (1) make recommendations to the Secretary to
23 facilitate the timely convening of the Conference;

1 (2) submit to the Secretary a proposed agenda
2 for the Conference not later than 90 days after the
3 first meeting of the Policy Committee;

4 (3) make recommendations for delegates of the
5 Conference;

6 (4) establish the number of delegates to be se-
7 lected under section 5 and the manner by which they
8 are to be selected in accordance with such section;
9 and

10 (5) establish other advisory committees as need-
11 ed to facilitate Conference participation of—

12 (A) professionals with direct experience
13 providing services to children and families in
14 the child welfare system; and

15 (B) children and families who are directly
16 involved in the child welfare system.

17 **SEC. 5. CONFERENCE DELEGATES.**

18 To carry out the purposes of the Conference, the Sec-
19 retary shall bring together delegates representative of the
20 spectrum of thought in the field of child welfare and the
21 courts, without regard to political affiliation or past par-
22 tisan activity, who shall include—

23 (1) the directors of child welfare systems of the
24 States and tribal governments;

1 (2) members of the State and local judicial sys-
2 tems relating to families and children, representa-
3 tives of the State organization composed of members
4 of the legal profession, and attorneys specializing in
5 family law;

6 (3) elected officials of State and local govern-
7 ments; and

8 (4) advocates (including national and State or-
9 ganizations), guardians, experts in the field of child
10 welfare, families, children, and youth affected by the
11 child welfare system, and the general public.

12 **SEC. 6. CONFERENCE ADMINISTRATION.**

13 (a) ADMINISTRATION.—In conducting and planning
14 the Conference, the Secretary shall—

15 (1) request the cooperation and assistance of
16 the heads of such other Federal entities as may be
17 appropriate, including the detailing of personnel;

18 (2) furnish all reasonable assistance, including
19 financial assistance, not less than 18 months before
20 the Secretary convenes the Conference, to State
21 child welfare systems, heads of State courts and
22 courts on family law, and to other appropriate orga-
23 nizations, to enable them to organize and conduct
24 State-level child welfare conferences in conjunction

1 with and in preparation for participation in the Con-
2 ference;

3 (3) prepare and make available for public com-
4 ment a proposed agenda for the Conference, which
5 will reflect to the greatest extent possible the major
6 issues facing child welfare systems and the courts,
7 consistent with the policy set forth in section 2(b);

8 (4) prepare and make available background ma-
9 terials that the Secretary deems necessary for the
10 use of delegates to the Conference; and

11 (5) employ such additional personnel as may be
12 necessary to carry out this Act without regard to
13 provisions of title 5, United States Code, governing
14 appointments in the competitive service, and without
15 regard to chapter 51 and subchapter III of chapter
16 53 of such title relating to classification and General
17 Schedule pay rates.

18 (b) DUTIES.—In carrying out the Secretary's respon-
19 sibilities and functions under this section, the Secretary
20 shall ensure that—

21 (1) the conferences held under subsection (a)(2)
22 will—

23 (A) be conducted to ensure broad partici-
24 pation of individuals and groups; and

1 (B) include conferences on Native Ameri-
2 cans—

3 (i) to identify conditions that ad-
4 versely affect their children in the child
5 welfare system and to identify Native
6 American families who are at risk of enter-
7 ing such system;

8 (ii) to propose solutions to ameliorate
9 such conditions; and

10 (iii) to provide for the exchange of in-
11 formation relating to the delivery of serv-
12 ices to their children in the child welfare
13 system and to Native American families
14 who are at risk of entering such system;
15 and

16 (2) the proposed agenda for the Conference as
17 described in subsection (a)(3) is—

18 (A) published in the Federal Register not
19 less than 180 days before the Conference is
20 convened; and

21 (B) made available for public comment for
22 a period of not less than 60 days;

23 (3) the final agenda for the Conference, pre-
24 pared after the Secretary takes into consideration
25 comments received under paragraph (2), is published

1 in the Federal Register and transmitted to the chief
2 executive officers of the States not later than 30
3 days after the close of the public comment period re-
4 quired by paragraph (2);

5 (4) the personnel employed under subsection
6 (a)(5) are fairly balanced in terms of point of view
7 represented and are appointed without regard to po-
8 litical affiliation or previous partisan activities;

9 (5) the recommendations of the Conference are
10 not inappropriately influenced by any public official
11 or special interest, but instead are the result of the
12 independent and collective judgment of the delegates
13 of the Conference; and

14 (6) before the Conference is convened—

15 (A) current and adequate statistical data
16 (including decennial census data) and other in-
17 formation on the well-being of children in the
18 United States; and

19 (B) such information as may be necessary
20 to evaluate Federal programs and policies relat-
21 ing to children;

22 which the Secretary may obtain by making grants to
23 or entering into an agreement with, public agencies
24 or nonprofit organizations, are readily available in
25 advance of the Conference to the delegates.

1 **SEC. 7. REPORT OF THE CONFERENCE.**

2 (a) PROPOSED REPORT.—After consultation with the
3 Policy Committee, the Secretary shall prepare—

4 (1) a proposed report on the results of the Con-
5 ference, which shall include a statement of com-
6 prehensive coherent national policy on State child
7 welfare systems (including the courts); and

8 (2) recommendations for the implementation of
9 such policy;

10 which shall be published in the Federal Register and sub-
11 mitted to the chief executive officers of the States, not
12 later than 60 days after the Conference adjourns.

13 (b) RESPONSE TO PROPOSED REPORT.—After re-
14 viewing and soliciting recommendations and comments on
15 the report of the Conference, the Secretary shall request
16 that the chief executive officers of the States submit to
17 the Secretary, not later than 180 days after receiving the
18 report, their views and findings on the recommendations
19 of the Conference.

20 (c) FINAL REPORT.—Not later than 90 days after
21 receiving the views and findings of the chief executive offi-
22 cers of the States under subsection (b), the Secretary
23 shall—

24 (1) prepare a final report of the Conference,
25 which shall include a compilation of the views and

1 findings of the chief executive officers of the States;
2 and

3 (2) publish in the Federal Register, and trans-
4 mit to the President and to the Congress, the rec-
5 ommendations for the administrative action and the
6 legislation necessary to implement the recommenda-
7 tions contained in such report.

8 **SEC. 8. DEFINITIONS.**

9 For the purposes of this Act—

10 (1) the term “Secretary” means the Secretary
11 of Health and Human Services; and

12 (2) the term “State” means any of the several
13 States, the District of Columbia, the Commonwealth
14 of Puerto Rico, Guam, American Samoa, the United
15 States Virgin Islands, the Commonwealth of the
16 Northern Marianas, the Federated States of Micro-
17 nesia, the Republic of the Marshall Islands, and the
18 Republic of Palau.

19 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

20 There is authorized to be appropriated \$10,000,000
21 to carry out this Act.

22 **SEC. 10. LIMITATION OF APPROPRIATIONS.**

23 New spending authority or new authority to enter
24 into contracts under which the United States is obligated
25 to make outlays shall be effective only to the extent and

1 in such amounts as are provided in advance in appropria-
2 tions Acts.

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